

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

Electronically filed June 25, 2024

IN RE DOWNSTREAM ADDICKS AND)	
BARKER (TEXAS) FLOOD-CONTROL)	Master Docket No. 17-9002
RESERVOIRS)	
)	Senior Judge Loren A. Smith
)	
THIS DOCUMENT RELATES TO:)	
)	
ALL DOWNSTREAM CASES)	
)	
)	

JOINT PROPOSED PRETRIAL SCHEDULE

Pursuant to the Court's June 6, 2024 Order, the United States and Lead Counsel for the Plaintiffs have conferred regarding the pretrial schedule, and propose the following:

<u>Event</u>	<u>Deadline</u>
Completion of Expert Depositions for limited evidentiary trial.	Friday, August 23, 2024 ¹
Filing of Stipulations of Fact	Friday, September 6, 2024
Telephonic Pretrial Status Conference	Tuesday, September 10, 2024 at 3:00 p.m. (ET)
Plaintiffs' Pre-Trial Memorandum, Exhibit List, and Witness List, pursuant to RCFC App. A, ¶¶ 14(a), 15, and 16	Friday, September 13, 2024
Defendant's Pre-Trial Memorandum, Exhibit List, and Witness List pursuant to RCFC App. A, ¶¶ 14(b), 15, and 16	Friday, October 11, 2024
Final Pre-Trial Conference via Zoom	Thursday, October 17, 2024
Limited Evidentiary Trial at 515 Rusk St. Houston, Texas	Monday, October 21, 2024 – Friday, October 30, 2024
	October 25, 2024 – Court conducts site visit.

¹ This discovery deadline for depositions may be extended by agreement of counsel.

Dated: June 25, 2024

Respectfully submitted,

TODD KIM
Assistant Attorney General
Environment & Natural Resources Division

s/ Kristine S. Tardiff
KRISTINE S. TARDIFF
WILLIAM J. SHAPIRO
LAURA W. DUNCAN
FRANCES B. MORRIS
AMBER DUTTON-BYNUM
Trial Attorneys
United States Department of Justice
Environment & Natural Resources Division
Natural Resources Section
53 Pleasant Street, 4th Floor
Concord, NH 03301
Telephone: 603-230-2583
E-Mail: kristine.tardiff@usdoj.gov

Counsel for the United States

/s/ Rand P. Nolen
Rand P. Nolen
FLEMING, NOLEN & JEZ L.L.P.
2800 Post Oak Blvd., Suite 6000
Houston, Texas 77056
Telephone: (713) 621-7944
rand_nolen@flaming-law.com

/s/ Jack E. McGehee
Jack E. McGehee
MCGEHEE, CHANG, BARNES,
LANDGRAF
10370 Richmond Ave., Suite 1300
Houston, Texas 77042
Telephone: (713) 864-4000
jmcgehee@lawtx.com

/s/ Richard Warren Mithoff

Richard Warren Mithoff

MITHOFF LAW FIRM

500 Dallas Street, Ste. 3450

Houston, Texas 77002

Telephone: (713) 654-1122

mithoff@mithofflaw.com

Appointed Co-Lead Counsel for Plaintiffs

/s/ Russell S. Post

Russell S. Post

David M. Gunn

Parth S. Gejji

Bennett Ostdiek

BECK REDDEN L.L.P.

4500 One Houston Center

1221 McKinney Street

Houston, Texas 77010

Telephone: (713) 951-6292

rpost@beckredden.com

Of Counsel for Plaintiffs